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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HUATAI USA, LLC,  
Plaintiff,

vs.

JOHN A CHIANG d/b/a "FCB  
INTERNATIONAL,"

Defendant.

Case No.: 4:11-cv-01855-PJH

STIPULATION TO CONTINUE  
DATE OF HEARING ON  
PENDING MOTION TO DISMISS

Dated: September 14, 2011  
Time: 9:00 a.m.  
Courtroom: 3  
Judge: Hon. Phyllis Hamilton

Defendant's Motion to Dismiss First Amended Complaint is pending. The Court, by its Order dated August 11, 2011 continued the hearing date on the motion to September 14, 2011. Richard Duane, Defendant's lead counsel, will be out of the country on that date.

WHEREFORE IT IS AGREED AND STIPULATED AS FOLLOWS:

1) Due to Richard Duane's unavailability on the current hearing date, September 14, 2011, on Defendant's Motion to Dismiss First Amended Complaint, the parties agree to continue the date of the hearing.

2) The parties have conferred and agree to continue the date of the hearing on Defendant's Motion to Dismiss to October 12, 2011.

3) In light of the need for a continuance of the hearing date on Defendant's Motion to Dismiss, the parties respectfully request the Court continue the Initial Case Management Conference currently scheduled on September 29, 2011 to a date after the hearing on the pending Motion to Dismiss.

Dated: August 25, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
RICHARD DUANE  
Attorney for Defendant  
JOHN CHIANG d/b/a "FCB INTERNATIONAL"

Dated: August 25, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
SIOBHAN COLE  
Attorney for Plaintiff  
HUATAI USA, LLC

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/26/11

HON. PHYLLIS  
Judge, U.S. District

